

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

**IN RE: ASSIGNMENT OF CIVIL
 AND CRIMINAL MATTERS Misc. No.: 5:00-MC-10**

**FIFTH AMENDED STANDING ORDER NO. 1,
METHOD OF ASSIGNMENT OF CIVIL AND CRIMINAL
MATTERS TO DISTRICT JUDGES**

To maintain the district-wide ratio among judges, all future civil and criminal actions on the dockets of this Court will be assigned by the Clerk's Office in the following manner:

1. All future civil and criminal actions, except for those cases identified in paragraphs 5 through 8 below, in which the cause of action arises in a county assigned to the Clarksburg point of holding court will be placed upon the docket of Judge Thomas S. Kleeh or Judge Irene M. Keeley on a rotation basis.
2. All future civil and criminal actions, except for those identified in paragraphs 5 through 8 below, in which the cause of action arises in a county assigned to the Elkins point of holding court will be placed upon the docket of Judge Thomas S. Kleeh.
3. All future civil and criminal actions, except for those cases identified in paragraphs 5 through 8 below, in which the cause of action arises in a county assigned to the Martinsburg point of holding court will be placed upon the docket of Judge Gina M. Groh.
4. All future civil and criminal actions, except for those cases identified in paragraphs 5 through 8 below, in which the cause of action arises in a county assigned to the Wheeling point of holding court will be placed upon the docket of Judge John Preston Bailey or Judge Frederick P. Stamp on a rotation basis.
5. All prisoner cases arising under 28 U.S.C. § 2241, 28 U.S.C. § 2254, 42 U.S.C. §1983, *Bivens v. Six Unknown Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), and the Federal Torts Claim Act, 28 U.S.C. §1346, will be assigned to the

district judges participating in such case assignments on a rotation basis and will be given a case number reflecting the assigned district judge's location.

6. All cases arising under 28 U.S.C. § 2255 will be assigned to the sentencing judge.
7. Social security cases will be assigned to the district judges and full-time magistrate judges on a rotation basis. All social security cases will be given a case number reflecting the assigned district judge's location.
8. All criminal cases from the maximum-security facilities of the United States Prison-Hazelton in Preston County, West Virginia, shall be brought before the grand jury in Clarksburg, assigned a Clarksburg case number, and placed upon the docket of Judge Thomas S. Kleeh or Judge Irene M. Keeley on a rotation basis.
9. Conflicts or unusual circumstances arising in any civil or criminal matter in this district will be resolved by the district judges, who will confer and inform the Clerk's Office as to which district judge's docket the matter should be reassigned.

ORDERED, this 7th day of March, 2019, by the United States District Court for the Northern District of West Virginia.

A handwritten signature in blue ink, reading "Gina M. Groh", written over a horizontal line.

Gina M. Groh
Chief Judge
United States District Court
Northern District of West Virginia